

PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. Further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

48102 7590 11/10/2005

NETWORK APPLIANCE/BLAKELY
12400 WILSHIRE BLVD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

12/07/2005 SFELEKEZ 00000021 10076906

01 FC:1501 1400.00 OP
 02 FC:1504 300.00 OP

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Julie Arango (Depositor's name)
Julie Arango (Signature)
 12/5/05 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,906	02/13/2002	Richard Meyer	20040P 000800US-5693P218	1882

TITLE OF INVENTION: FAILOVER PROCESSING IN A STORAGE SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	02/10/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, DIEU MINH T	2114	714-004000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Network Appliance, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Sunnyvale, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number **02-2666** (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Jordan M. Becker*
 Typed or printed name **Jordan M. Becker**

Date **12/5/05**
 Registration No. **39,602**

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Attorney Docket No.: 5693P218

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Richard Meyer et al.

Serial No.: 10/076,906

Filing Date: 02/13/2002

For: FAILOVER PROCESSING IN A
STORAGE SYSTEM

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Le, Dieu Minh T.

Art Unit: 2114

Confirmation No.: 1882

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
December 5, 2005

(Date of Deposit)

Julie Arango

(Printed name)

Julie Arango

(Signature)

12/5/05
(Date)

PAYMENT OF ISSUE FEE AND PUBLICATION FEE

Dear Sir:

In response to the Notice of Allowance mailed November 10, 2005, enclosed herewith for filing in the above-referenced patent application is a check in the amount of \$1,400.00 for payment of the issue fee and a check in the amount of \$300 for payment of the publication fee.

If there is a deficiency in fees, please charge our Deposit Account No. 02-2666.

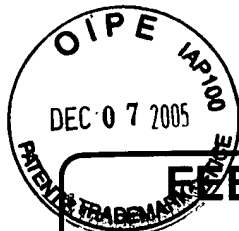
Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date:

12/5/05

Jordan M. Becker
Jordan M. Becker
Reg. No. 39,602

Customer No. 48102
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300



FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

1,700.00

Complete if Known

Application Number 10/076,906
Filing Date February 13, 2002
First Named Inventor Richard Meyer
Examiner Name Le, Dieu Minh T.
Art Unit 2114
Attorney Docket No. 5693P218

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☒ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
10	20*	0	50.00
2	5*	0	200.00
Multiple Dependent			

Large Entity

Fee Code	Fee (\$)
1202	50
1201	200
1203	360
1204	300
1205	300

Small Entity

Fee Code	Fee (\$)
2202	25
2201	100
2203	180
2204	150
2205	150

Fee Description

Claims in excess of 20
Independent claims in excess of 3
Multiple Dependent claim, if not paid
**Reissue independent claims over original patent
**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

0.00

**or number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

Large Entity

Fee Code	Fee (\$)
1051	130
1052	50
2053	130
1251	120
1252	450
1253	1,020
1254	1,590
1255	2,160
1401	500
1402	500
1403	1,000
1451	1,510
1460	130
1807	50
1806	180
1809	790
1810	790

Fee Code	Fee (\$)
2051	65
2052	25
2053	130
2251	60
2252	225
2253	510
2254	795
2255	1,080
2401	250
2402	250
2403	500
2451	1,510
2460	130
1807	50
1806	180
1809	395
2810	395

Fee Description

Surcharge - late filing fee or oath
Surcharge - late provisional filing fee or cover sheet.
Non-English specification
Extension for reply within first month
Extension for reply within second month
Extension for reply within third month
Extension for reply within fourth month
Extension for reply within fifth month
Notice of Appeal
Filing a brief in support of an appeal
Request for oral hearing
Petition to institute a public use proceeding
Petitions to the Commissioner
Processing fee under 37 CFR 1.17(q)
Submission of Information Disclosure Stmt
Filing a submission after final rejection (37 CFR § 1.129(a))
For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

Issue Fee and Publication Fee

SUBTOTAL (2)

Fee Paid

(\$)

1,700.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Jordan M. Becker

Registration No. 39,602
(Attorney/Agent)

Telephone (408) 720-8300

Signature

Date 12/05/05